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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,968	09/26/2001	Zhenyu Gao	USP1664A-ZYG	5187

  

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EXAMINER	
PYZOCHA, MICHAEL J	

  

ART UNIT	PAPER NUMBER
2137	

  

NOTIFICATION DATE	DELIVERY MODE
05/09/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

Application No.

09/965,968

Applicant(s)

GAO, ZHENYU

Examiner

Michael Pyzocha

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10-28 is/are pending in the application.
- 4a) Of the above claim(s) 10-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 13-28 are pending.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/22/2007 has been entered.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 13 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groshon et al (US 6351811), in view of Korn (US 6880083), in view of Blickenstaff et al (US 5537585) and further in view of Nielson (US 5812398).

As per claim 13, Groshon et al discloses a public web server (figure 1 number 210) authentication checking, decrypting and sending a safe-web-file, wherein when a web visitor's request is received, said public-web-server computer checks said safe-web-file that if said safe-web-file is not altered, deleted

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or replaced, said public-web-server computer sends back said web-content decrypted from said safe-web-file to said web visitor with http or other protocol; the use of a firewall and the use of servers (see column 4 line 47 through column 5 line 9).

Groshon et al fails to disclose encrypting the web files, the recovery being automatic, and the firewall being between the server and the backup.

However, Korn teaches encrypting web files (see column 2 lines 25-38), Blickenstaff et al teaches automatic recovery system (see column 3 lines 22-44), and Neilson teaches a firewall between a server and its backup (see column 4 lines 4-14).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Korn's encryption and Blickenstaff et al's automatic recovery system and Neilson's firewall in the protection system of Groshon et al.

Motivation to do so would have been to create a secure script (see Korn column 1 lines 55-58), to provide disaster recovery (see column 3 lines 22-44), and to prevent unauthorized access from computers outside the computer system (see Neilson column 4 lines 4-14).

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As per claim 15, the modified Groshon et al, Korn, Blickenstaff et al, and Neilson system discloses a real-time-check module used on said public-web-server computer for linking to a decryption module of said authentication check means to said web server, wherein said decryption module is able to be controlled by events of request received from said web visitor though http protocol (see Korn and Groshon as applied above).

As per claims 16, the modified Groshon et al, Korn, Blickenstaff et al, and Neilson system discloses the use of symmetric key encryption (see Korn figure 1 number 107)..

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Groshon et al, Korn, Blickenstaff et al, and Neilson system as applied to claim 13 above, and further in view of Bianco. (EP 0467239).

As per claim 14, the modified Groshon et al, Korn, Blickenstaff et al, and Neilson system fails to disclose chaos encryption.

However Bianco teaches such chaos encryption (see Abstract).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the chaos encryption of Bianco in the modified Groshon et al, Korn, Blickenstaff et al, and Neilson system.

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Motivation to do so would have been to protect the files from unauthorized modification (see Abstract).

6. Claims 17-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Groshon et al, Korn, Blickenstaff et al, and Neilson system as applied to claim 1 above, further in view of Menezes et al (Handbook of Applied Cryptography) and further in view of Thomson (US 5276874).

As per independent claims 18 and 22, the modified Groshon et al, Korn, Blickenstaff et al, and Neilson system discloses the limitations as in claim 13, but fails to disclose the files further including a header which includes a MAC and properties including name, size, date, and location.

However, Thomson teaches a header with the claimed properties (see column 2 lines 23-34) and Menezes et al teaches a MAC (see page 323).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Thomson's header in the modified Groshon et al, Korn, Blickenstaff et al, and Neilson system and to include Menezes et al's MAC using the Chaos encryption key as the key in Menezes et al's MAC in the header.

Motivation to do so would have been to store information relating to a file and to ensure the integrity of the file.

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Claims 19-20, 23-24, 27 are similarly rejected as to claims above.

As per claims 16-17, 25-26, Menezes discloses the use of DES (see page 250).

At the time of the invention it would have been obvious to a person of ordinary skill in the art for the encryption scheme to be DES.

Motivation to do so would have been that it is recognized worldwide.

As per claims 21 and 28, Menezes discloses the use of MD5 (see page 250).

At the time of the invention it would have been obvious to a person of ordinary skill in the art for the MAC to be MD5. Motivation to do so would have been that it has widespread use.

### ***Response to Arguments***

7. Applicant's arguments filed 0/22/2007 have been fully considered but they are not persuasive. Applicant argues: Nielsen does not teach or suggest sending a request from a public side and then sending data from the private side of the firewall to a server on the public side of the firewall.

With respect to Applicant's argument that Nielsen does not teach or suggest sending a request from a public side and then

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sending data from the private side of the firewall to a server on the public side of the firewall, Examiner respectfully disagrees. First Applicant correctly identifies that Nielsen teaches a method for circumventing a firewall to **send** data from the public side of the firewall to the protected side of the firewall (emphasis added). When retrieving of these documents is performed, there is no mention of circumventing the firewall (see column 35 lines 30-36). This is due to the fact that if the retrieving of the documents from the back of server was done by circumventing the firewall then the firewall would be useless and not perform any protecting of the data at all. Therefore, when combined with the teachings of Groshon, Bianco, Blickenstaff, and Korn for the requesting with the location of Neilson's firewall the request and files will pass through the firewall. Furthermore, the claims do not require that the requests and files travel through the firewall, they merely state that the private-web-server is provided to the public-web-server through a firewall. This claims that there is a firewall between the public and private server and that some communications are provided through the firewall, nowhere does the claim explicitly recite that the requests and requested files travel through the firewall. Although the claims are interpreted in light of the specification, limitations from the



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specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant also restates all the claims and broadly states that the claims are allowable over the prior art. These arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

### **Conclusion**

8. All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114.

Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this

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action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed; and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJP

  
EMMANUEL L. MOISE  
SUPERVISORY PATENT EXAMINER